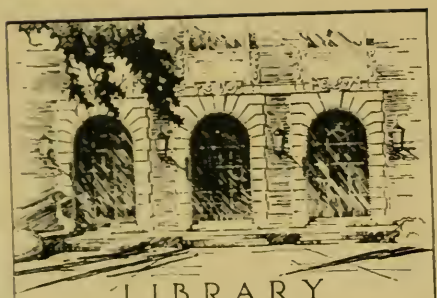

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CHARGE

DELIVERED BY

EDWIN PALMER, D.D.

ARCHDEACON OF OXFORD,

At his Visitation in May, 1882.

Parker and Co.

OXFORD, AND 6 SOUTHAMPTON-STREET,
STRAND, LONDON.

My Brethren of the Clergy and the Laity,

In the Charge which I delivered at my last Visitation I professed my willingness to alter the form of our proceedings if I should be advised that such an alteration was generally desired. There are points, no doubt, in the form of the proceedings at a Visitation which the Archdeacon for the time being has no power to alter. A Court must be held, at which the Presentments of the outgoing Churchwardens may be received, and the Churchwardens who have been elected for the current year may be admitted to their office. This is the essential part of a Visitation. That we should join together in prayer for ourselves and each other, and the parishes which we represent, and the whole diocese, and all the Church of God, is a natural duty at such a meeting of representative men from many different parishes, Clergy and Churchwardens. Everything else that we do is non-essential. For example, that we should dine together is, to my mind, a natural and pleasant symbol of our close relation to each other, and of our mutual goodwill; and it is a means of drawing that relation closer and increasing that goodwill. For my own part, therefore, I should be sorry to discontinue such a custom. Yet, if others (whether Clergy or Laity) were of another opinion, and thought—no matter for what reason—the custom burdensome or inconvenient, I should be

ready to give it up. At one of our Visitation centres, in point of fact,—I mean at Oxford,—I found, when I entered upon my office, that no such custom existed. I was informed that, for a variety of reasons, the introduction of such a custom would probably be unacceptable in that city; and therefore I have never attempted to introduce it. Another feature in these Visitations, which is equally non-essential, is the delivery of an address—or Charge, as it is called,—by the Archdeacon. I have expressed to you more than once my feeling on this subject. In strictness of speech it is the function of a Bishop, and not of an Archdeacon, to instruct the Clergy in their duties; and the congregation which assembles in the church at a Visitation is sure to contain more of the Clergy than of the Laity.

The change which I offered in 1880 to make (if it were desired) was the substitution of something like a Conference for a Charge. My idea was that some at least (if not all) of the Clergy and Churchwardens who assemble at a Visitation might be disposed to prefer a discussion of points of common interest to the hearing of an address from a person in my office. The sort of plan which I had in view was that the Court should be held in the morning, as at present; that at twelve o'clock we should meet in the Church, as we do now, for common prayer, after which the names of the Clergy, and the names of the Churchwardens also, should be called over; that, when this call

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was finished, we should leave the Church without any Charge being delivered. An hour, I thought, would suffice for dinner. At two o'clock we might go to some other room provided for the purpose, and spend two hours or so (more or less) in the discussion of such questions as might be proposed. It would be my business, doubtless, to propose the questions, but I should endeavour, in the selection of them, to meet, as far as possible, the wishes of others, Clergy or Laity, if they favoured me with a communication of those wishes beforehand.

There are, I am sensible, two weighty objections to the change which I have sketched out. One is the expenditure of time. It would involve —on the part of those who attended the Conference — the sacrifice of the afternoon. The other is the absence of any practical result to be obtained by it. Our Conference, it might be said, would begin and end in mere talk. The Clergy and Churchwardens of a Rural Deanery (or two Rural Deaneries), even if they all took part in the Conference, would have no power to legislate. The resolutions which they might pass (if they proceeded by way of resolution) would not have any force or effect whatever. Moreover, for a good many years past, there has been no lack of opportunity for Churchmen to debate on matters concerning the Church. There is such an opportunity at the Church Congress, which is held annually at one or other of the large towns in this kingdom. There is such an opportunity at the Diocesan Conference,

which is held annually at Oxford, and, indeed, in almost every other Diocese. I say nothing here of meetings, large or small, which are meetings of Clergy only,—such as the Convocations of Canterbury and York on the one hand, and Ruri-decanal Chapters on the other. Still less do I speak of Clerical Associations, which are purely voluntary in their nature, and have no representative character. Our Conference would be a Conference of Clergy and Laity; it would deserve to be called representative, because it would contain (so far as they chose to come to it) all the Clergy and all the Churchwardens of each parish in the district. But, however representative such a Conference might be, it would be open, as I said just now, to the objection that it would begin and end in talk; and of talk, it may be, we have more than enough already.

I may be asked why I suggested this plan in 1880, if I knew that it was open to such grave objections? My reply is simple. I am inclined to believe that there is more advantage than many people admit in mere talk,—when that talk is the honest exchange of views and opinions between persons who have important interests in common. And for myself, I had another reason besides. I prefer the sound of other men's voices to the sound of my own. At all events, I did not wish to require Clergy and Churchwardens to listen from year to year to my reflections without an opportunity of imparting their views to me. Some

may think, perhaps, that the dinner-table gives us as much opportunity of Conference as we need. I do not agree with this view. It is true that useful hints are sometimes conveyed in after-dinner speeches; but, upon the whole, the tendency to mutual compliment, which is produced by fellowship at the table, prevents freedom of utterance, and makes anything like debate seem out of place.

I have gone into this matter at length because the Bishop has invited the Clergy this year to consider in their Ruri-decanal Chapters whether any change in the form of Visitations is desirable: else, I should have limited myself to the statement of my own reason for not attempting to make such a change as that of which I have spoken. I said in 1880 that I should be ready to make such a change, 'if the plan met with favour.' So far as I know, the suggestion has not received any great amount of consideration. Here and there I have heard that it was approved by some Clergy and some Laity. One Ruri-decanal Chapter, I understand, expressed an opinion in its favour. Another expressed a distinct preference for the established custom. Several of my brethren kindly assured me that in their judgment the Clergy and Churchwardens would acquiesce in such a change if I desired to make it. I have no evidence that the change is generally disapproved: but I have certainly no evidence that it is generally desired. For myself, I never dreamed of making such an innovation of my own judgment. I should think it

wholly improper to make such a change, unless I had good assurance that the Clergy and Churchwardens of my Archdeaconry generally desired it. So far as I am at present informed, appearances are the other way. It may be that most of the Clergy and Churchwardens care little about the matter: but, at all events, I have no reason to think that many of them desire such a change.

In the meantime things are happening round us upon which, if we are not to confer one with another, it may not be undesirable that I should address a few words to you. Not long ago the incumbent of a rural parish asked me to advise him and his Churchwardens how they were to obtain 'the amount required for needful Church expenses?' I inquired what was the average amount. The reply was £14. I do not doubt that in these bad times the question has arisen in many other parishes besides the parish from which it came to me. Let us look it in the face, and see what answer we can give it. Fourteen pounds a-year represents, it would seem, the working expenses of the Church of England in a poor parish. I did not inquire into the items; it seemed unnecessary, when the total was so modest. Most of you who hear me can easily supply them. How is this money to be raised? How, I will ask in return, are the like sums raised by Dissenters? I can hardly imagine that a smaller sum is needed for the same sort of expenses in any Dissenting body, which has a chapel of its own in any place. Is it not obvious that

those who use the chapel, and reckon themselves members of the congregation to which it belongs, raise it among themselves? Must not Churchmen do the same? It is a simple matter of common sense that, if I belong to any institution whatever, civil or religious, and do not desire it to come to an end, I must contribute to the necessary working expenses. I must either submit to some assessment, or scale of contribution, which is determined by the general body of the Society, or its committee, or its officers; or I must tax myself according to my means for its support. This is the answer that I gave to my correspondent. The fairest plan, if your people will agree to it, is a voluntary rate. If they will not agree to it, or (which is the same thing) if they will not pay it, then those who care for the Church and its services must tax themselves individually. The natural occasion for the payment of such a self-imposed tax is the time when they use the building and services which this expense is needed to keep up. In plain words a collection in the Church at every service, or at least an offertory on every Sunday, is the best and most natural way of calling upon the congregation to contribute, where a voluntary rate is found impracticable. In some parishes it is preferred to have a certain number of collections in the year, on fixed Sundays, for the Church expenses. If this answers, well and good. If it does not answer, the collections must be made more frequently. The congregation must be plainly

told from the pulpit what the precise needs of their Church are; and they must be told, by statements of account affixed to the Church door from time to time, what money has been collected to meet these needs. The account rendered by the Churchwardens at the end of the year will shew how the money so collected has been spent.

Of course this question could never have arisen if it had not been for the legal enforcement in years past of Church-rates. Up to the year 1868, in which compulsory Church-rates were abolished, all the working expenses of our parish churches were paid out of a Church-rate, which was levied on all the ratepayers in the parish. Churchmen were not used, in our old parishes at all events, to provide by any species of voluntary payment for these expenses. And so, when the compulsory Church-rate was abolished, they were slow to realise the consequences of its abolition. It is true that in many places a voluntary Church-rate has been raised: but in some places this has been impossible from the beginning, in others it seems now to be breaking down. But whether the money is to be collected by a voluntary rate or otherwise, it is inevitable that the burden should fall upon the shoulders of those who are really concerned in the matter; and I cannot doubt that they will bear it. Of course in extraordinary emergencies, such as extensive repairs of an old church, or the erection of a new one, it will often happen that the parishioners are unable to defray the cost. In such cases, provided

always that they do what they can, help is sure to be forthcoming from Societies, diocesan or general, and from good Churchmen, laymen or clergymen, outside the limits of the parish. But a congregation which cannot or will not defray its own working expenses hardly deserves to be called a congregation at all. I feel confident that it is only the memory of the time when all such things were paid out of the rates which makes good people slow to come forward. Some of us seem to be like men whose arms or legs have been for many years in chains, and who, in consequence, do not know how to use their limbs when the chains are at last struck off.

I compared, just now, the position of Churchmen in a parish with that of Dissenters. I said that Dissenters, if they possessed a chapel at all, had working expenses to meet (and did meet them) which could hardly be less than fourteen pounds a-year. I must remind my brother Churchmen that Dissenters have a much larger item to consider, before they can say that the working expenses of their congregations are provided for, than those items which fall upon Churchmen and Dissenters alike. Fourteen pounds a-year can only represent the petty expenses of a congregation. Besides these petty expenses, Dissenters have to provide, and Churchmen have not, for the support of their Ministers. The piety and liberality of Churchmen in bygone days has, in the vast majority of instances, taken this burden off the hands

of the present generation. We must never forget this. There are many clergymen, no doubt, who work for slender pay, and have hard work to live and bring up a family. But a second fourteen pounds would go a very little way towards the maintenance of a Clergyman. When we Churchmen find it difficult to raise that first fourteen pounds which is needed for the petty expenses of a congregation, we must remember that we are in an exceptional position of advantage. All other religious bodies have to raise, in addition to that fourteen pounds, forty, sixty, or a hundred pounds a-year, at least, to provide themselves with a Minister. And to this I am bound to add that the possession of the churches, which good men in old days built for us, is a further advantage. It is very little, indeed, that we Church people are called upon to do for ourselves in our old parishes—especially in country districts. Almost all has been done for us by our ancestors.

This is what we really mean when we talk of the Church as 'established.' Other features of the 'establishment' are of comparatively little moment. That our Bishops should sit in the House of Lords, for example, is no great advantage to us: some persons doubt whether it is any advantage at all. That the judges in our Ecclesiastical Courts should have power to deprive incumbents of their benefices, and to enforce obedience to their sentences by sending men to prison, is, at the best, a privilege of doubtful value. One disadvantageous consequence which

it entails is that our Ecclesiastical Courts are courts of a mixed character, and are subjected, directly or indirectly, to the control of Parliament. But that we should possess the churches which our forefathers built, and that our Clergy should be, in all our old parishes, supported by endowments given by our forefathers, without any call upon our own purses,—this is indeed a feature in the 'establishment' of the Church which is of an importance that cannot be exaggerated to all her members—and not least to the Laity. That a man who is hostile to the Church of England, who dislikes her government, who does not join in her worship, should desire to weaken her by taking away these endowments, is intelligible enough. That any man who calls himself in good faith a member of the Church, who attends her services himself, or sends his children to them, should look on quietly when the 'establishment' is assailed, is well-nigh incomprehensible. The spoliation of the Church involves fresh taxation for himself. If his clergyman loses the endowment on which he lives at present, he himself, and others like him, who wish for the Prayers and Sacraments of the Church, will have to find that Clergyman a subsistence, as Dissenters now find it for their Ministers.

Thoughts like these incline me to say something about one point in particular, which has been brought to the front by the special circumstances of the last few years: I mean the question of tithe. The endowments which form the support of the Clergy are, for the most part, of two kinds. Some-

times the Clergy hold land, sometimes a tithe (or tenth part) of the produce of all the land in the parish. Often these two kinds of endowment are combined: but in such cases the amount of land held by the Clergyman is usually small, and the tithe is his chief support. The succession of bad seasons, which has ruined so many farmers, and impoverished so many owners of land, has naturally brought tithe into discredit. Men are tempted to think that it would be a public benefit if it could be abolished entirely. Let me ask you to consider this question from three points of view: first, as it affects the farmer; secondly, as it affects the landowner; and thirdly, as it affects the tithe-owner.

First, for the farmer. It seems at first sight, no doubt, to touch him very nearly, for he is the person who actually pays over to the tithe-owner the money which represents the tithe. It seems, I say, as if it would be a great and direct relief to him if he had to pay it over no longer. But this is mere seeming, not reality. The tithe rentcharge is one of the charges upon the land. It is taken into consideration when the farmer agrees to pay, and the landlord agrees to take, a certain rent. If that charge were struck off by law to-morrow, the farmer could afford to pay, and the landlord would certainly ask, so much more rent. Suppose, for argument's sake, that a tenant pays now £100 a-year under the head of rent to the landlord, and £10 a-year under the head of tithe to the tithe-owner, and suppose a law passed which should abolish the tithe-owner's right to this

£10, the landlord would demand £110 a-year for the land instead of £100. For practical purposes, so far as the farmer is concerned, tithe rentcharge is part of the rent. It makes no difference to the farmer into whose pocket it goes. This may easily be shewn by the example of another sort of rentcharge. A man may give his son-in-law a rentcharge of £10 a-year upon an estate for which he is taking £110 a-year from a tenant. He may give his son-in-law a right to receive that rentcharge by half-yearly payments of £5 each from the tenant before the rest of the rent is paid to him. The tenant would be neither a gainer nor a loser by this transaction. He would still pay the same sum as before, namely, £110 in all, though he would pay £10 to the landlord's son-in-law, and £100 to the landlord himself. Nor would he be a gainer if the son-in-law died, and he had once more to pay the entire £110 to the landlord. It is just the same with the tithe rentcharge now.

By the law of England for many centuries the landowner has in effect been entitled to a part only of the rent which the land will bear. Call it, if you will, nine-tenths: it is really more. The other part belongs to the tithe-owner. It was originally given to the Church, and it is still applied, for the most part, to the support of the Clergy; though, from causes which it would be too long to trace, it has in many cases become the property of lay corporations or individuals. If the tithe rentcharge were abolished by law to-morrow, the whole rent would go

to the landowner. Its abolition would make no difference to the tenant: only he would pay his money to one person and not to two. The whole amount which he paid would be the same.

I turn now to the landowner. To him, no doubt, the abolition of tithes (or tithe rentcharge) would be a great gain. It would be an addition, not indeed of a strict tenth, but of a sum which may loosely be called a tenth,—the sum which is at present represented by the tithe rentcharge—to the value of his property. The gain would be as direct and unmistakeable as the gain which comes to him now when some relative dies who, by his own act or his father's, has had a rent-charge on his estate. The gain to the landowner, I say, is undeniable: but he has no right to such a gain whatever. It would be a simple present made to him by the Legislature. He, or his father, or his grandfather, bought or inherited his land subject to this rentcharge. In other words, except in those cases in which land is (from whatever circumstance) tithe-free, the landowner has never been the entire owner of the land: he has only been part-owner. He has no more right to ask from the Legislature the entire ownership, than he has to ask from it the addition of another hundred acres to his estate.

It will be observed that I have spoken, thus far, of the simple abolition of tithe rentcharge. It is of course possible—perhaps it is more probable—that, if the Legislature dealt with tithe rentcharge at all, it would not abolish it, but would take it away

from the present tithe-owners, and provide for its application in reduction of local rates. In this case, however, as in that of which I have already spoken, the landowner, and not the farmer, would be the gainer. The farmer would still pay tithe rentcharge, but he would pay it to a Government department. Nor would he gain anything by its application to the reduction of local rates. No doubt he would pay less than he now pays to the rate-collector, but he would pay so much more to his landlord. Local rates, as well as tithe rentcharge, are taken into account in fixing the rent of land. Rent is, in fact, the sum which the farmer can afford to pay to the landowner after he has provided for all the outgoings upon his farm,—tithe rentcharge, rates, taxes, cost of labour, seed, stock, manures, &c., as well as interest on his own capital, and a fair remuneration for his own expenditure of time and toil. If any one of the outgoings upon the farm is permanently reduced, he can afford to pay more rent. Whether the reduction is in tithe rentcharge or in local rates makes no difference. If either one or the other were permanently reduced, the farmer would certainly be expected to pay more rent; the landowner, and not the farmer, would be the gainer by the reduction.

I come now to the tithe-owner. I will take first the case of individual laymen who are owners of tithe rentcharge. They have bought or inherited their title to this tithe rentcharge just as they have bought or inherited any land or stocks or

shares that they may possess. To take it from them and give it (whether directly or indirectly) to the landowner, who never bought or inherited it, would be simply to rob one person in order to make a present to another. It is inconceivable that such a thing should be done without compensation from the public revenue.

Then comes the case of universities, colleges, hospitals, and the like, many of which are large tithe-owners. The title of these corporations is as good as that of private persons. Moreover, they exist for the benefit of the whole nation, and it would be contrary to public policy that their efficiency should be crippled by the confiscation of their revenues.

I have mentioned these two cases because it is impossible to leave them out of sight when the question of tithe rentcharge is considered. So far as tithe rentcharge is a burden on land, one part of it is as great a burden as another. And, unreasonable as it would be to make a present (directly or indirectly) of the tithe rentcharge to all the landowners in the kingdom, it would be still more unreasonable to make such a present to those landowners who happen to pay tithe to clergymen, and not to those who pay tithe to laymen or lay corporations.

But my chief concern is with that part of the tithe rentcharge which is at present payable to the Clergy. I come now, therefore, to the case of the clerical tithe-owner, which is the most important in itself, and is usually uppermost in men's minds when they talk of this question. Clergymen who are ac-

tually in possession of benefices, and in receipt of tithe rentcharge in respect of them, would suffer flagrant injustice if the tithe rentcharge were suddenly taken from them by Act of Parliament. Their means of subsistence, into which they came lawfully, and which the law guaranteed to them as their freehold, would be taken away to enrich the landowners (directly or indirectly) without any ill desert on their part, or any claim on the part of the landowners. But this, of course, is inconceivable: law in England is always tender of individual rights and vested interests. If it were imaginable that the tithe rentcharge should be abolished by the action of the Legislature, in one way or another the incumbents existing at the time that such an Act was passed would be compensated. They might receive compensation out of the national revenue, or it might be provided in the Act that the abolition of tithe rentcharge should not take effect in any parish till after the death or removal of the then existing incumbent.

Who would be the sufferers, I may be asked, if existing incumbents are sure of compensation, in cases in which the tithe rentcharge is now payable to the Clergy? The sufferers would be the lay-members of the Church in each parish. The tithe rentcharge is often spoken of as if it were the endowment of the Clergy. It is no such thing. It is the endowment of the Church in each parish, that is to say, of the congregation of Christian men who hold the faith and adhere to the worship of the Church

of England in each parish. They, and they only, would be the real losers by its abolition. Suppose, for example, that an Act were passed which extinguished this rentcharge absolutely and irrevocably from and after the year 1900—only providing compensation out of the national purse for the individual Clergymen who were entitled to receive tithe rentcharge when the Act passed, and were still living in the year 1900—who would be the gainers and who the losers in the year 1900? The landowners would gain; for they would receive the whole rent which their land would bear without any deduction on account of tithe rentcharge. The farmers would gain nothing, because they would pay as much as before, and would only pay in one sum and to one person, instead of paying in two sums and to two persons. The lay-members of the Church of England would lose, because they would have to support their Minister (as Dissenters support their own Ministers now) out of their own pockets.

This is the truth of the matter. Whether tithe rentcharge were abolished, or taken from the tithe-owner and applied to the reduction of local rates, the only gainers by the transaction would be the landowners. The farmers would neither gain nor lose. The loss would fall upon the members of that great religious body which is known by the name of the Church of England. I have said once and again that to the gift, which would be conferred on them by such a measure, the landowners, on whose

land the tithe rentcharge (or the tithe which it represents) has been charged from time immemorial, have no legal or reasonable title whatsoever. I am bound in justice to add that I do not believe them to covet such a gift, or to desire to increase their own wealth at the expense of the poorer members of the Church.

I have spoken particularly of the tithe rentcharge, because the circumstances of the last few years have brought it into question as one of the burdens (to use a current phrase) on the land of the country. Else the point upon which I have been insisting holds good with regard to the other endowments of the Church also,—glebes, parsonages, and the fabrics of our churches. It is not uncommon to hear men speak as if the Clergy only were interested in these endowments. The point upon which I desire to insist is, that such a mode of speaking is a complete misrepresentation. The individual Clergy, who are at this moment in possession, are of course more nearly interested than any one else in these endowments: if they were suddenly taken away without compensation (which, as I have said, is practically inconceivable) they would lose their means of subsistence: but the Clergy, as a permanent body, have no more interest in these endowments than lay Churchmen. They are in the strictest and largest sense the endowments of the Church: they form a fund from which expenses are defrayed, which would otherwise fall upon its lay-members. The Church cannot subsist with-

out Ministers; and, as St. Paul himself said, 'they that preach the Gospel must live of the Gospel.' Upon the whole, and in the long run, the service of the Church could not be done by persons who had to earn their bread by following other trades and occupations. Such persons could, at best, give their Sundays only to the work. Ministerial functions which are performed on week-days would be practically in abeyance. Nor would such persons have leisure for learning: yet he who would teach others ought himself to be learning always. If the ancient endowments were taken away and applied to other purposes, the lay-members of the Church would find a burden thrown upon them of which, in our old parishes at least, they have had no experience, and of which, I must add, they have at present no conception. This is a matter, then, for the Laity to consider. Men talk wildly of disestablishment and disendowment, as if the Clergy only would be sufferers by it. The reverse of this is the truth. Disestablishment means the imposition of a new and heavy tax upon all the lay-members of the Church of England.

TITHE is considered in these pages as it exists at the present day in England. I must refer those who are interested in its history to Selden's Historie of Tithes, published in 1618, and Prideaux' Original and Right of Tithes, published in 1709. Valuable remarks on the same subject are to be found in Stubbs' Constitutional History of England, vol. i. pp. 261, sqq., and Freeman's History of the Norman Conquest, vol. v. pp. 500, sqq. It may be convenient, however, to set down here a few particulars of special importance.

1. "The recognition of the legal obligation of tithe dates from the eighth century, both on the Continent and in England. In A.D. 779 Charles the Great ordained that every one should pay tithe, and that the proceeds should be administered by the bishop: and in A.D. 787 it was made imperative by the legatine councils held in England, which being attended and confirmed by the kings and ealdormen had the authority of witenagemots. From that time it was enforced by not unfrequent legislation." I take this statement from Prof. Stubbs.

2. From the eighth to the thirteenth century (but especially after the Norman Conquest) it was not uncommon for great landowners to bestow the whole, or a part, of the tithes arising from their domains, or from particular estates, upon Bishops, Cathedral Chapters, Colleges, and Hospitals, and, above all, upon Monasteries. The parochial system was not fully developed when the obligation to pay tithe to the Church for religious and charitable uses began to be recognised. "It was not" (says Prof. Stubbs), "until the council held at Westminster in A.D. 1200, that the principle was summarily stated that the parochial clergy have the first claim on the tithe." Nor, after the principle had been formally enunciated, were earlier grants and assignments cancelled which were inconsistent with it. On the contrary, similar grants and assignments were made after that date, with the connivance or sanction of Bishops, or of Popes, or of the Crown.

3. In the same period in which tithes were thus assigned to other uses than the support of the parochial clergy, parish churches with all their revenues—includ-

ing the tithes arising from lands in the parish—were often made over absolutely to Monasteries, to say nothing of other appropriations. In such a case the Monastery enjoyed all the profits of the benefice, and found a clerk to serve the church.

4. When the Monasteries were dissolved in the reign of Henry VIII., their lands and revenues were given by Act of Parliament to the Crown. In these revenues was included a large amount of tithes, which had come into the possession of the Monasteries in one or other of the ways above mentioned. From the Crown these tithes passed by grant in some cases to Episcopal Sees, Colleges, Schools, or Hospitals, in many cases to individual laymen. The lay tithe-owners and lay impropriators of the present day derive their title ultimately from such grants.

5. The present system of tithe rentcharge (save in the city of London for the tithing of which statutory provision had been made earlier) was established by the Tithe Commutation Act of 1836 (6 & 7 Will. IV. cap. 71), which has been amended in points of detail only by subsequent legislation. This Act made that part of the tithes which is in the hands of the Clergy recoverable by civil process. Before it was passed such tithes were recovered in the Ecclesiastical Courts. That part of the tithes, however, which is held by laymen in virtue of grants from the Crown, was made recoverable in the Civil Courts by 32 Henry VIII. cap. 7.

6. Certain lands in England and Wales are tithe-free in virtue of ancient exemptions, which were, for the most part, derived originally from Papal grants. On certain other lands the tithe rentcharge has been redeemed within the present century in the manner prescribed by the Tithe Commutation Act.

7. The tithe rentcharge now payable in England and Wales is thus distributed, according to the return of the Tithe Commission, dated January 31, 1882.

Total Rentcharge payable to			
Clerical Appropriators and Lessees.	£678,987	1	$1\frac{3}{4}$
Parochial Incumbents . . .	2,412,708	9	$11\frac{1}{2}$
Lay Impropriators . . .	766,233	0	$6\frac{3}{4}$
Schools, Colleges, &c.	196,056	15	$0\frac{1}{2}$
	£4,053,985	6	$8\frac{1}{2}$